

Attachment 1: Request for Limited Sources Memo Format

LIMITED SOURCES JUSTIFICATION

ORDER >\$3,000

FAR PART 8.405-6

2237 Transaction # or Vista Equipment Transaction #: 640-14-3-163-0164

This acquisition is conducted under the authority of the Multiple Award Schedule Program. The material or service listed in par. 3 below is sole source, therefore, consideration of the number of contractors required by FAR Subpart 8.4 – Federal Supply Schedules, is precluded for the reasons indicated below.

Restricted to the following source:

Manufacturer/Contractor: GE Medical Systems Information Technologies, Inc.

Manufacturer/Contractor POC & phone number:

Mfr/Contractor Address: 9900 W. Innovation Dr. Wauwatosa, WI 53226

☒ The requested material or service represents the minimum requirements of the Government.

(1) AGENCY AND CONTRACTING ACTIVITY:

Department of Veterans Affairs
Network Contracting Office 21
5342 Dudley Blvd.
Bldg. 209
McClellan, CA 95652
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VISN:

(2) NATURE AND/OR DESCRIPTION OF ACTION BEING APPROVED: The action will be a new, firm-fixed-price, sole source delivery order against GE Medical Systems Information Technologies, Inc.'s Federal Supply Schedule contract V797P-2239D.

(3) (a) A DESCRIPTION OF THE SUPPLIES OR SERVICES REQUIRED TO MEET THE AGENCY'S NEED:

The VA Palo Alto Health Care System (VAPAHCS) requires expansion of an existing GE Health Care telemetry monitoring system to add a new server, receiver, central station and associated hardware for 16 monitored beds to Ward 2C in Building 100 and expand antenna coverage and add bed licenses and hardware to increase Ward 2A from 8 to 16 beds and increase Ward 3C from 12 to 16 beds. Also required are mirrored central stations for each of the above wards to be provided in a centralized monitoring location.

The resulting delivery order will include configuration and installation of all components, including installation of cabling for telemetry antenna system and connection and configuration of all networked components. It will also include six days of on-site training from clinical application specialists.

(b) ESTIMATED DOLLAR VALUE:

(c) REQUIRED DELIVERY DATE: 30 DAYS ARO (Forecasted to be 11-29-2014, based on a 9-30-2014 award date.)

(4) IDENTIFICATION OF THE JUSTIFICATION RATIONALE (SEE FAR 8.405-6), AND IF APPLICABLE, A DEMONSTRATION OF THE PROPOSED CONTRACTOR'S UNIQUE QUALIFICATIONS TO PROVIDE THE REQUIRED SUPPLY OR SERVICE.

☒ Specific characteristics of the material or service that limit the availability to a sole source (unique features, function of the item, etc.).

GE Healthcare is the only company legally able to license the necessary software and the only company able to provide components to the existing system that would not invalidate the FDA approval for its use. The product is in large part intellectual property with hardware and installation services.

☒ A patent, copyright or proprietary data limits competition. The proprietary data is software license.

☒ The material/service must be compatible in all aspects (form, fit and function) with existing systems presently installed/performing.

The new items to be procured must be compatible in all aspects to the current system purchased under V797P-2239D VA261-13-F-1189.

☒ The new work is a logical follow-on to an original Federal Supply Schedule order provided that the original order was placed in accordance with the applicable Federal Supply Schedule ordering procedures. The original order must not have been previously issued under sole source or limited source procedures.

The items to be procured in this requirement are required to supplement the current system purchased under V797P-2239D VA261-13-F-1189 to increase functionality. The original order was awarded on 03-12-2013 in the amount of [REDACTED] to GE Medical Systems Information Technologies, Inc. VA261-13-F-1189 was fully competed among FSS Contract Holders using GSA eBuy.

(5) DESCRIBE WHY YOU BELIEVE THE ORDER REPRESENTS THE BEST VALUE CONSISTENT WITH FAR 8.4 TO AID THE CONTRACTING OFFICER IN MAKING THIS BEST VALUE DETERMINATION:

All items will be purchased at or below the price already found fair and reasonable by the FSS Contracting Officer [FAR 8.404(d)]. In addition, it is more economical to add additional functionality to the existing system instead of purchasing a new system that will also require VA personnel to learn two different telemetry systems.

(6) DESCRIBE THE MARKET RESEARCH CONDUCTED AMONG SCHEDULE HOLDERS AND THE RESULTS OR A STATEMENT OF THE REASON MARKET RESEARCH WAS NOT CONDUCTED:

Market Research was conducted in accordance with FAR 10. The specific methods used were:

- Contacting knowledgeable individuals in Government and industry regarding market capabilities to meet requirements:

o [REDACTED]

- [REDACTED]
- These individuals defined the requirement, provided justification for using a non-competitive procedure, and identified the potential offeror.
- Other
 - Review of Ability One procurement list
 - Search of "telemetry" provided no usable results.
- Survey of UNICOR's website
 - Search of "telemetry" provided power distribution equipment, but not the telemetry system itself.
- VetBiz search under NAICS 334510 with term, "telemetry."
 - No results returned.
- SBA Dynamic Small Business Search under NAICS 334510 with term "GE telemetry," "General telemetry," and "Electric telemetry" (keyword search field has 20 character limit).
 - No results returned.
- Per FAR 19.502-2(b)(1), the Contracting Officer may only set aside an action if there is a reasonable expectation that, "Offers will be obtained from at least two responsible small business concerns offering the products of different small business concerns." Since General Electric (Other than small) (GE) is manufacturing the only items that will work for this requirement, the requirement at FAR 19.502-2(b)(1) cannot be met. As such, this requirement cannot be set aside.

(7) ANY OTHER FACTS SUPPORTING THE JUSTIFICATION:

None identified

(8) A STATEMENT OF THE ACTIONS, IF ANY, THE AGENCY MAY TAKE TO REMOVE OR OVERCOME ANY BARRIERS THAT LED TO THE RESTRICTED CONSIDERATION BEFORE ANY SUBSEQUENT ACQUISITION FOR THE SUPPLIES OR SERVICES IS MADE:

When the VA requires a new telemetry system to replace the current one (as opposed to just adding equipment for increased functionality), the VA will compete that action to allow for maximum competition.

(9) **REQUIREMENTS CERTIFICATION:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge. I understand that processing of this limited sources justification restricts consideration of Federal Supply Schedule contractors to fewer than the number required by FAR Subpart 8.4. (This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability.)

[REDACTED] 9/17/14
SIGNATURE DATE
[REDACTED] [REDACTED]
NAME TITLE SERVICE LINE/SECTION
[REDACTED]
FACILITY

(10) **APPROVALS IN ACCORDANCE WITH FAR 8.405-6(d):**

a. **CONTRACTING OFFICER'S CERTIFICATION (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

[REDACTED] 9/18/2014
CONTRACTING OFFICER'S SIGNATURE DATE
DANIEL E. CZECH Network Contracting Office 21
Contracting Officer FACILITY

c. **DOC/PCM/DESIGNEE:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

[REDACTED] 9/19/14
SIGNATURE CHIRE URSINO DATE
PATRICIA BENSON
Network Contracting Office 21
Director of Contracting Designee